

REMARKS/ARGUMENTS

AMENDMENTS TO THE SPECIFICATION

The title has been amended to read "SEQUENTIALLY TERMINATED ELASTOMERS".

AMENDMENTS TO THE CLAIMS

Claims 1-4, 8-13, 17, and 19-22 remain in the application. Claims 1 and 10 have been amended to change the final 'and' to 'or' and to delete repetitive language included in (ii) starting with "triethoxysilyl ...". Claim 19 has been amended to delete the word 'highly' and has further been amended to include the limitation previously presented in Claim 22. Claim 22 has thusly been canceled.

CLAIM OBJECTIONS

In accordance with the Examiner's suggestion, Claim 1 has been amended to reflect proper Markush format. Claim 10 has likewise been amended in a manner consistent with Claim 1.

CLAIM REJECTIONS – 35 USC § 112

The Examiner has rejected claims 1-4, 8-13, 17, 20, and 21 under 35 U.S.C. § 112 as failing to comply with the written description requirement.

In an effort to overcome the rejection, Claim 1 has been amended to delete the language "triethoxysilyl propyl chloride, diethoxymethylsilyl propyl chloride, diethylcarbamyl chloride, 1-(3-bromopropyl)-2,2,5,5-tetramethyl-1-aza-2,5-disilacyclopentane" which was inadvertently left in Applicants' previous amendment. The deleted compounds are subsequently included in (iv) - (vii) of Claim 1.

Claim 10 has likewise been amended to delete repetitive language in a manner consistent with Claim 1.

The Examiner has rejected claims 19-22 under 35 U.S.C. § 112 for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

In an effort to overcome the rejection, Claim 19 has been amended to delete the word "highly."

DOUBLE PATENTING

The Examiner has provisionally rejected claim 19 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 9, and 10 of copending Application No. 10/579,954, which corresponds to U.S. Pub. No. 2007/0149744. Likewise, the Examiner has further provisionally rejected Claim 19 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 10-31 of copending Application No. 11/507,692, which corresponds to U.S. Pub. No. 2007/054995. As neither application 10/579,954 nor 11/507,692 has to date issued as a patent, the Applicant will consider the necessity of a terminal disclaimer at a later time and only after issuance of patented claims in said applications, or if there are no other rejections by the Examiner in the subject application.

CLAIM REJECTIONS – 35 USC § 102

The Examiner has rejected Claim 19 under 35 U.S.C. 102(e) as being anticipated by Ozawa et al, citing foreign publication WO 03/046020 and further referencing U.S. Pub. No. 2005/0070672. The Examiner states that the reference discloses, in at least preparation Example 13, a sequentially functionalized polymer comprising a first stage to incorporate a functionalized epoxide, and a second stage to incorporate an imine functionality.

Applicant has amended Claim 19 to include the limitation "where X' is selected from the group consisting of monoglycidyl siloxanes and monoglycidyl ether-terminated polysiloxanes, and where Y' is selected from the group consisting of N,N-diethyl amino

carbonyl chloride, and 1-(3-bromopropyl)-2,2,5,5-tetramethyl-1-aza-2,5disilacyclopentane”.

This recitation derives from original Claim 22, which ostensibly contained allowable subject matter, and therefore Applicants believe that Claim 19 should now be in condition for allowance.

CONCLUSION

It is respectfully submitted that all pending claims are in condition for allowance. Accordingly, Applicants request early and favorable reconsideration in the form of a Notice of Allowance.

If necessary to affect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to affect a timely response. The Commissioner is specifically authorized to charge Deposit Account No. 06-0925 in the event that an additional fee is due or that any amount should be credited.

Respectfully submitted,

September 2, 2008

Date



Arthur M. Reginelli
Attorney for Applicants
Registration No. 40,139

Renner, Kenner, Greive, Bobak, Taylor & Weber
106 South Main Street, 4th Floor
Akron, OH 44308
Phone: 330-376-1242
Fax: 330-376-9646